

REMARKS

Applicants respectfully request reconsideration of the present U.S. Patent application. Claims 1-5 stand rejected under 35 U.S.C. § 102. Claims 1-3 have been amended. Claims 4-5 have been canceled. Claims 6-25 have been added. Therefore, claims 1-3 and 6-25 are pending.

Claim Rejections - 35 U.S.C. § 102

Rejections of Claims 1-5 Based on *Bridger*

Claims 1-5 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,272,209 issued to Bridger et al. (*Bridger*). Claims 4 and 5 have been canceled without prejudice. Therefore, the rejections of claims 4 and 5 as being anticipated by *Bridger* are moot. For at least the reasons set forth below, Applicants submit that claims 1-3 and 6-25 are not anticipated by *Bridger*.

Claim 1 recites the following:

means for automatically determining whether an RJ 11 connector inserted into the RJ11 port is connected to non-telephonic equipment or to telephonic equipment; ...

Claim 3 is a method claim that recites similar limitations. New claim 13 is an apparatus claim written in means-plus-function language, and recites similar limitations. New claim 15 is a method claim, and recites similar limitations. New claim 17 is an apparatus claim, and recites similar limitations. A proper rejection under 35 U.S.C. § 102 requires that a single prior art reference teach each and every element of a rejected claim. See MPEP § 2131.

Bridger discloses a method for providing emergency call service, also referred to as lifeline voice service, for a Voice over Digital Subscriber Line (VoDSL) system during power failure. See Abstract; col. 1, line 55 – col. 2, line 4. Voice service is provided to a customer by a line terminating equipment (LTE) VoDSL modem located in the central office (CO) of a

telephone company, which connects with customer premise equipment (CPE). See col. 1, lines 15-18; col. 2, lines 5-6. The CPE includes a VoDSL modem and a local telephone port. See col. 3, lines 65-67. Use of VoDSL requires local power at the CPE. See col. 1, lines 24-26. Upon detecting a loss of power at the CPE, and thus loss of VoDSL capability, the LTE modem is automatically reconfigured from a VoDSL modem to a plain old telephony service (POTS) subscriber line interface. See col. 1, lines 65-67; col. 2, lines 7-16; col. 3, lines 51-62; col. 6, lines 45-67.

The only equipment of concern to the LTE modem in *Bridger* is the CPE, and the only determination made by the LTE modem is whether there is a loss of power at the CPE. Accordingly, *Bridger* does not disclose a means for automatically determining whether an RJ 11 connector inserted into an RJ11 port is connected to non-telephonic equipment or to telephonic equipment. Thus, *Bridger* fails to teach all of the limitations of claims 1, 3, 13, 15 and 17. Consequently, *Bridger* does not anticipate claims 1, 3, 13, 15 and 17 for at least the reasons set forth above. Applicants therefore respectfully request that the Examiner withdraw the rejection of claims 1, 3, 13, 15 and 17 under 35 U.S.C. § 102.

Claims 2, 6-8 and 23-25 depend from claim 1. Claims 9-12 depend from claim 3. Claim 14 depends from claim 13. Claim 16 depends from claim 15. Claims 18-22 depend from claim 17. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 2, 6-12, 14, 16 and 18-25 are not anticipated by *Bridger* for at least the reasons set forth above.

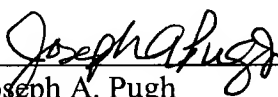
CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-3 and 6-25 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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